

MEMO ENDORSED

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USDC SDNY
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October 19, 2009

Hon. Judge Frank Maas
United States Magistrate Judge
500 Pearl Street
New York, NY 10007

I will consider changing the date of the conference if Ms. Combier submits proof from her medical provider that she has scheduled a medical exam which conflicts with the conference and which cannot be changed. Any such proof is to be submitted by noon on October 26, 2009.


RE: Combier v The State of New York 09 CIV 5314 (RJH) (FM)

Dear Judge Maas, Chambers by noon on October 26, 2009. In my judgment, any motion for reconsideration on Saturday, October 17, 2009, I received your Order to appear at a conference on Friday, October 23, 2009 at 11:30 AM, and I request an adjournment for the following reasons: refusal would be frivolous. Moreover, the

- (1) I have made a request by Motion to United States District Court Judge Richard Holwell for a re-consideration of your participation in the case at bar, or to grant Second my request to write and submit to him a Second Amended Complaint to include Amended new information provided in a decision handed down by the First Department Appellate Division on October 1, 2009. is within the scope of Judge Holwell's referral to me. Accordingly, neither of these alleged
- (2) I have an appointment to undergo a medical examination on October 28, 2009 which cannot be changed. warrants any further delay.

May I request that a new date is scheduled after Judge Holwell decides on my request for a Second Amended Complaint?

Thank you for your consideration.


Elizabeth Combier

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